

THE OPINION IN SUPPORT OF THE DECISION BEING ENTERED TODAY WAS NOT  
WRITTEN FOR PUBLICATION AND IS NOT BINDING PRECEDENT OF THE BOARD

Filed by: Trial Section Merits Panel  
Mail Stop INTERFERENCE  
Board of Patent Appeals and Interferences  
United States Patent and Trademark Office  
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Paper No. 16  
Entered May 25, 2007

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE BOARD OF PATENT APPEALS  
AND INTERFERENCES

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KAZUSHIGE NAKAMURA, AKIO MARUYAMA,  
NORIYUKI TAKAGI and MICHIYO SEKIYA  
Junior Party  
(Patent 5,693,443)<sup>1</sup>

v.

KIMIYUKI ITO, KEIICHI INAGAKI  
and TAKESHI ISHIDA  
Senior Party  
(Application 09/955,030)<sup>2</sup>

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Patent Interference No. 105,554  
(Technology Center 1700)

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Before LEE, LANE, and MOORE, Administrative Patent Judges.

LEE, Administrative Patent Judge.

**Judgment -- Request for Adverse -- Bd. R. 127(b)**

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<sup>1</sup> Based on Application 08/746,980, filed November 19, 1996. The real party in interest is Canon Kabushiki Kaisha.

<sup>2</sup> Filed September 19, 2001. Accorded the benefit of Application 08/693,717, filed August 7, 1996. The real party in interest is Minolta Co., Ltd.

Interference No. 105,554

Nakamura v. Ito

1       Junior party Nakamura has requested entry of adverse judgment (Paper 15). The request  
2    is granted. Accordingly, it is

3           **ORDERED** that judgment on priority as to the subject matter of Count 1 is herein  
4    entered against junior party KAZUSHIGE NAKAMURA, AKIO MARUYAMA, NORIYUKI  
5    TAKAGI, and MICHIO SEKIYA;

6           **FURTHER ORDERED** that junior party KAZUSHIGE NAKAMURA, AKIO  
7    MARUYAMA, NORIYUKI TAKAGI, and MICHIO SEKIYA is not entitled to claims 1-12 of  
8    its involved Patent No. 5,693,443, which correspond to Count 1;

9           **FURTHER ORDERED** that if there is a settlement agreement, the parties should note  
10   the requirements of 35 U.S.C. § 135(c) and Bd. Rule 205; and

11          **FURTHER ORDERED** that a copy of this judgment be placed in the respective  
12   involved application or patent of the parties.

/ss/ Jameson Lee	)	
JAMESON LEE	)	
Administrative Patent Judge	)	
	)	
	)	
/ss/ Sally Gardner Lane	)	BOARD OF PATENT
SALLY GARDNER LANE	)	APPEALS AND
Administrative Patent Judge	)	INTERFERENCES
	)	
	)	
/ss/ James T. Moore	)	
JAMES T. MOORE	)	
Administrative Patent Judge	)	

Interference No. 105,554  
Nakamura v. Ito

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**Despertt, Sonja**

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**Sent:** Friday, May 25, 2007 9:37 AM  
**To:** 'azupcic@fchs.com'; 'pdevinsky@mwe.com'  
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